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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/833,969	04/11/2001	Michael L. Obradovich	42254/DMC/C685	3844

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EXAMINER

NGUYEN, LEE

ART UNIT PAPER NUMBER

2682

DATE MAILED: 01/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/833,969	OBRADOVICH, MICHAEL L.	
	Examiner	Art Unit	
	LEE NGUYEN	2682	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 3-5,7-15 and 18-28 is/are pending in the application.
- 4a) Of the above claim(s) 4,10-12 and 18-26 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 3,5,7-9,13-15,27 and 28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/27/2005 has been entered.

Claims 1-2, 6, 16-17, have been canceled. Claims 3-5, 7-15, 18-28 remain in prosecution. Claims 4, 10-12, 18-26 have been withdrawn from consideration.

Information Disclosure Statement

The IDS filed 10/27/2005 has been considered and recorded in the file.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 3 is rejected under 35 U.S.C. 102(e) as being anticipated by Geiger et al. (US 6,377,810).

Regarding claim 3, Geiger teaches a method of providing contact information regarding a user, the method comprising: allocating a user-specific space in memory 21 accessible over a computer network 22 to a specific user 15-17 (figs. 1, 4); associating a mobile communication device with the user (col. 2, 32-38); determining a location of the user by receiving location information provided by a mobile communication device (col. 2, 32-38); storing data indicative of the location of the user in the use-specific space (col. 2, 32-38); receiving an access list of possible requesters of the data in the user-specific space and providing the data indicative of the location of the user to possible requesters on the access list (col. 4, lines 26-40 and lines 57-66). Geiger also teaches receiving, from the user, additionally data regarding the user (see attribute certificate provided to the server by the mobile device, col. 5, lines 3-13); storing the additional data regarding the user in the user-specific space, the additional data being related to the location of the user (certificate attributes including time constrain and specific geographic regions where requester is allowed to access, col. 5, lines 3-56) and providing the data indicative the additional data regarding the user to possible requesters on the access list (col. 5, lines 56-59).

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 5, 7-9, 13-15 and 27-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Geiger et al. (US 6,377,810) in view of Strunk et al. (US 2002/0068551).

Regarding claim 5, Geiger teaches a location relevant server system comprising: a personal communication device (PCD) 15-17 (figs. 1 and 4) comprising a GPS receiver 17 and wireless communication capability (transceiver); a GPS server 20 receiving information indicating a location and unit identifier associated with the PCD (col. 2, 17-44); the GPS server 20 providing the PCD location and the unique identifier associated with the PCD to an application server 21 (col. 2, 38-44); the application server 21 configured to execute a program upon receiving the location and the unique identifier information associated with the PCD to update a user specific data space with a current location and the unique identifier associated with the PCD (col. 2, 38-44, col. 4, 41-44); the application server 21 further configured to allow different users different access to the application server 21 based on the identity of a user (col. 2, 38-44 and col. 4, 40-44). Geiger fails to teach that the application server is further configured to store received from and information concerning an individual associated with the PCD in the user specific data space. Strunk teaches that data concerning establishment of communication with the mobile communication device such as contact information email, fax, individuals can be stored in a contact database, which are provided by the

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user (see [0006] through [0019], it is noted that the user provides his contact information to stations 100, 101...N so that the contact database 20 can be obtained said contact information from stations 100, 101, ...N). It would have been obvious to one of ordinary skill in the art at the time the invention was made combine Strunk with Geiger so that the caller can contact the callee via alternate means. Geiger also teaches that the stored information being related to the location of the user (certificate attributes including time constrain and specific geographic regions where requester is allowed to access, col. 5, lines 3-56).

Regarding claim 7, the combination of Geiger and Strunk also teaches that the application server provide information concerning the individual to a requester (see [0009] of Strunk).

Regarding claim 8, the combination of Geiger and Strunk also teaches that the application server is configured to modify data in the user specific data space (col. 4, lines 41-44 of Geiger).

Regarding claim 9, the combination of Geiger and Strunk also teaches contact information regarding the individual (see [0017] of Strunk).

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Regarding claim 13, the combination of Geiger and Strunk also teaches that the GPS server 20 is configured to send PCD locations and identifiers to the application server 21 (col. 2, 38-44 of Geiger).

Regarding claim 14, the combination of Geiger and Strunk also teaches that the application server is configured to provide different information concerning the individual to the different requesters (see [0011] and [0017] of Strunk).

Regarding claim 15, the combination of Geiger and Strunk also teaches that the user specific data space stores contact information regarding the user associated with the PCD (see [0017] of Strunk).

Regarding claims 27-28, the combination of Geiger and Strunk also teaches the phone, fax and e-mail information (see [0006], [0007] and [0009] of Strunk).

Response to Arguments

3. Applicant's arguments filed 03/14/2005 have been fully considered but they are not persuasive.

In the remarks, Applicant argues that:

a) Neither Geiger nor the Strunk Publication discloses storing additional information or data being related to the location of the user.

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b) Strunk publication does not contain subject matter that is disclosed in the provisional application No. 60/169,605. Rather, only paragraph [0021] discloses the email.

In response to point a), Geiger teaches the additional data being related to the location of the user (Certificate attributes including time constrain and specific geographic regions where requester is allowed to access in addition to the GPS location information. This certificate attributes is provided to the location server by the user of the mobile device, col. 5, lines 3-56).


In response to point b), Strunk teaches that the contact information includes the email address (see paragraph [0007]). He also teaches that the contact information applies to both the wireline and wireless system, see [0009]). Therefore, the rejection based on the Strunk publication is ended at paragraph [0019], which is the original provisional application's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LEE NGUYEN whose telephone number is 571-272-7854. The examiner can normally be reached on FIRST FRIDAY OFF.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, DORIS TO can be reached on 571-272-7629. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


LEE NGUYEN
PRIMARY EXAMINER